

WSR 22-07-014
RULES OF COURT
STATE SUPREME COURT
[March 3, 2022]

IN THE MATTER OF THE ) AMENDED
SUGGESTED AMENDMENT TO ) ORDER
CrRLJ 3.3—TIME FOR TRIAL ) NO. 25700-A-1377

The District and Municipal Court Judges' Association, having recommended the suggested amendment to CrRLJ 3.3—Time for Trial, and the Court having approved the suggested amendment for publication;

Now, therefore, it is hereby

ORDERED:

(a) That pursuant to the provisions of GR 9(g), the suggested amendment as shown below are to be published for comment in the Washington Reports, Washington Register, Washington State Bar Association and Administrative Office of the Court's websites in November 2021.

(b) The purpose statement as required by GR 9(e), is published solely for the information of the Bench, Bar and other interested parties.

(c) Comments are to be submitted to the Clerk of the Supreme Court by either U.S. Mail or Internet E-Mail by no later than April 30, 2022. Comments may be sent to the following addresses: P.O. Box 40929, Olympia, Washington 98504-0929, or supreme@courts.wa.gov. Comments submitted by e-mail message must be limited to 1500 words.

DATED at Olympia, Washington this 3rd day of March, 2022.

For the Court

Gonzalez, C.J.

CHIEF JUSTICE

GR 9 COVER SHEET

Suggested Amendment to

WASHINGTON STATE COURT RULES:

CRIMINAL RULES FOR COURTS OF LIMITED JURISDICTION

RULE 3.3

TIME FOR TRIAL

A. Name of Proponent: District & Municipal Courts Judges' Association (DMCJA)

B. Spokesperson: Judge Charles Short, President, DMCJA

C. Purpose: The DMCJA recommends amending CrRLJ 3.3, Time for Trial, to allow defense counsel to enter into agreements for continuance on behalf of their clients. The amendment will make the rule more congruent with recent amendments to CrRLJ 3.4 pertaining to the presence of the defendant. It also clarifies that defense counsel's signature constitutes a representation that the defendant has been consulted and agrees to the continuance, and that the court's notice to defense counsel of new hearing dates constitutes notice to the defendant. For these reasons, the DMCJA requests adoption of the proposed amendment.

D. Hearing: A hearing is not recommended.

**E. Expedited Consideration:** Expedited consideration is requested to address current practice and to make the rule congruent with the current CrRLJ 3.4.

Proposed Amendment:

CrRLJ 3.3  
TIME FOR TRAIL

(a) - (e) [Unchanged.]

(f) **Continuances.** Continuances. Continuances or other delays may be granted as follows:

(1) *Written Agreement.* Upon written agreement of the parties which must be signed by defense counsel or the defendant or all defendants, the court may continue the trial to a specified date. Defense counsel's signature constitutes a representation that the defendant has been consulted and agrees to the continuance. The Court's notice to defense counsel of new hearing dates constitutes notice to the defendant.

(2) [Unchanged.]

(g) - (h) [Unchanged.]

**Reviser's note:** The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.